

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTOLIN ANDREWS,

Plaintiff,

No. CIV S-03-1218 EFB P

vs.

JAMES E. TILTON, et al.,

Defendants.

ORDER

Plaintiff proceeds without counsel in an action brought under 42 U.S.C. § 1983. When he commenced this action, he was a prisoner. During the pendency of this action, he was released from confinement. Currently under consideration is plaintiff's motion for leave to file documents electronically. For the reasons explained below, the motion is denied.

In a brief request, plaintiff states that he is acting *pro se*, and that he has access to the electronic docket reports in a different federal district court. He asserts that he should be permitted to file electronically "for the convenience of all parties" and of this court. Pl.'s Mot., at 1. This Court maintains a system that requires attorneys to file all documents electronically. Local Rule 5-133(a). Parties who proceed without counsel "may **not** utilize electronic filing except with the permission of the assigned Judge or Magistrate Judge." Local Rule 5-133(b)(2)(emphasis in original). To obtain such permission, a party must file a request

1 either as a stipulation or as a written motion “setting out an explanation of reasons for the  
2 exception.” Local Rule 5-133(b)(3). Plaintiff has not obtained a stipulation from the other  
3 parties. He has not explained why his ability to file documents electronically would be  
4 convenient for the other parties. It appears that he cannot make such a showing. There is no  
5 notice from the other parties that they have not been served with requests or motions plaintiff has  
6 filed and upon which this court has ruled. The Local Rules give judges broad discretion in  
7 deciding whether a *pro se* party may file documents electronically. Nothing about this action  
8 creates any reason to conclude that plaintiff’s use of the electronic filing system would be more  
9 convenient than traditional filing on paper.

10 Accordingly, it is ORDERED that plaintiff’s July 1, 2009, motion for leave to file  
11 electronically is denied.

12 Dated: September 8, 2009.

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14 EDMUND F. BRENNAN  
15 UNITED STATES MAGISTRATE JUDGE  
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